



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#38

In re Patent Application of ) Art Unit: 2822  
Shunpei YAMAZAKI et al. ) Examiner: M. Guerrero  
Serial No. 09/118,010 )  
Filed: July 17, 1998 )  
For: SEMICONDUCTOR DEVICE, )  
METHOD OF FABRICATING SAME) )  
AND ELECTROOPTICAL DEVICE )

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with  
The United States Postal Service with sufficient postage as First  
Class Mail in an envelope addressed to: Commissioner for Patents,  
Washington, D.C. 20231, on 3/5/02

**REQUEST FOR RECONSIDERATION OF DECISION ON PETITION**

Honorable Commissioner of Patents  
Washington, D.C. 20231

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Sir:

Applicant is in receipt of the *Decision on Petition* mailed February 26, 2002 dismissing Applicant's petition to withdraw this application from issue under 37 CFR §1.313 as moot. The *Decision on Petition* asserts that the issue fee required in the Notice of Allowance was not timely paid and thus the application can not be withdrawn from issue. In response, Applicant has contacted Ms. Sherry Brinkley and understand that this *Request for Reconsideration* should be filed together with a copy of the PTOL-85B including the *certificate of mailing* and the supporting documents evidencing that it was properly submitted.

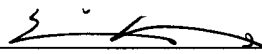
In response, a copy of the PTOL-85B showing the *certificate of mailing* on February 5, 2002 is attached. This document was mailed in normal course from our offices on that date by Ms. Rose Fichtel, secretary to the undersigned. It is believed that this document was processed and mailed on that day as all correspondence bearing a *certificate of mailing* is routinely from our office. Applicant also includes a copy of one-half of a receipt card that was filed with the PTOL-85B that was damaged by the U.S. Postal Service during processing. Although the receipt date isn't clear, it appears that it was received and processed February 10-19, 2002 based on the available information on the receipt card. Applicant now understands from Ms. Brinkley that the issue fee has in fact been received and processed by the Patent Office. Applicant has also

confirmed that the check was processed for payment on February 25, 2002. A copy is attached herewith.

In view of the above, it is believed that the issue fee was timely paid in accordance with the *certificate of mailing* procedures and that the dismissal of the *Petition to Withdraw* as moot should be reconsidered and withdrawn. Applicant respectfully requests that the issue fee transmittal be processed and Applicant's previous request to withdraw this application from issue be reviewed and granted as soon as possible.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact Applicant's undersigned attorney at the telephone number listed below.

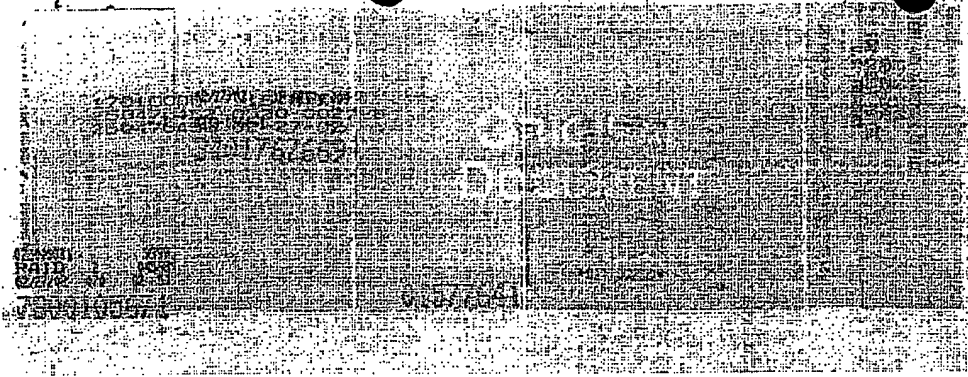
Respectfully submitted,

  
Eric J. Robinson  
Reg. No. 38,285

NIXON PEABODY LLP  
8180 Greensboro Drive, Suite 800  
McLean, Virginia 22102  
(703) 790-9110



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1. PTOL-85B - Issue Fee Transmittal (2 copies)
2. Certificate of Mailing
3. Check No. \_\_\_\_\_ in the amount of \$1,310 (:

In re PATENT application of:

SHUNPEI YAMAZAKI et al

Serial No. 09/118,010

Filed: 07/17/1998

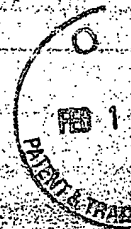
Due Date: 02/05/2002

For: SEMICONDUCTOR DEVICE, METHOD OF FABRIC  
DEVICE

Docket: 740756-001838

February 5, 2002

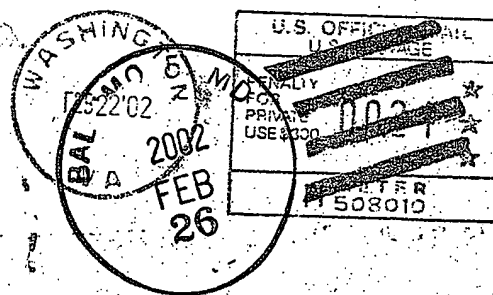
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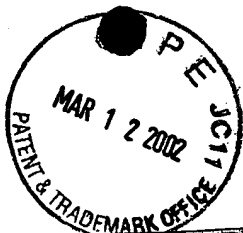
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Nixon Peabody LLP  
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McLean, Virginia 22102

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CHASE MANHATTAN BANK, N.A.  
ROCHESTER, NY

3554

NIXON PEABODY LLP  
ATTORNEYS AT LAW  
8180 Greensboro Drive  
Suite 800  
McLean, VA 22102

PATENT DISBURSEMENT ACCOUNT

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\$ 1,310.00

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TO THE ORDER OF COMMISSIONER FOR PATENTS AND TRADEMARKS

*Carol A. Harker*

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In re PATENT application of:

SHUNPEI YAMAZAKI et al

Serial No. 09/118,010

Filed: 07/17/1998

Due Date: 02/05/2002

For: SEMICONDUCTOR DEVICE, METHOD OF FABRICATING SAME, AND ELECTROOPTICAL DEVICE

Docket: 740756-001838

February 5, 2002

EJR/TAV/rmf

## PART B—ISSUE FEE TRANSMITTAL

Complete and mail this form, together with applicable fees, to:

Box ISSUE FEE  
Assistant Commissioner for Patents  
Washington, D.C. 20231

MAR 12 2002

**MAILING INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE. Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Issue Fee Receipt, the Patent, advance orders and notices of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark-up with any corrections or use Block 1)

022204  
NIXON PEABODY, LLP  
8180 GREENSBORO DRIVE  
SUITE 800  
MCLEAN VA 22102

MMC2/1105

Note: The certificate of mailing below can only be used for domestic mailings of the Issue Fee Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing.

## Certificate of Mailing

I hereby certify that this Issue Fee Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Box Issue Fee address above on the date indicated below.

Rose M. Fichtel

(Depositor's name)

Rose M. Fichtel

(Signature)

February 5, 2002

(Date)

APPLICATION NO.	FILING DATE	TOTAL CLAIMS	EXAMINER AND GROUP ART UNIT	DATE MAILED
09/118,010	07/17/98	044	GUERRERO, M. 2822	11/05/01
First Named Applicant	YAMAZAKI, 35 USC 154(b) term ext. = 0 Days.			

TITLE OF INVENTION SEMICONDUCTOR DEVICE, METHOD OF FABRICATING SAME, AND, ELECTROOPTICAL DEVICE

ATTY'S DOCKET NO.	CLASS-SUBCLASS	BATCH NO.	APPLN. TYPE	SMALL ENTITY	FEE DUE	DATE DUE
2 0756-1838	257-059.000	035	UTILITY	NO	\$1280.00	02/05/02

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363). Use of PTO form(s) and Customer Number are recommended, but not required.

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47) attached.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

Eric J. Robinson

Nixon Peabody LLP

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)  
**PLEASE NOTE:** Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the PTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

Semiconductor Energy Laboratory Co., Ltd.

(B) RESIDENCE (CITY &amp; STATE OR COUNTRY)

Kanagawa-ken, Japan

Please check the appropriate assignee category indicated below (will not be printed on the patent)

☐ individual ☒ corporation or other private group entity ☐ government

4a. The following fees are enclosed (make check payable to Commissioner of Patents and Trademarks):

☒ Issue Fee  
☒ Advance Order - # of Copies 10

4b. The following fees or deficiency in these fees should be charged to:

DEPOSIT ACCOUNT NUMBER 19-2380  
(ENCLOSE AN EXTRA COPY OF THIS FORM)

☒ Issue Fee  
☒ Advance Order - # of Copies

The COMMISSIONER OF PATENTS AND TRADEMARKS IS requested to apply the Issue Fee to the application identified above.

(Authorized Signature)

Reg. No. 38,285

(Date)

2/5/02

NOTE: The Issue Fee will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the Patent and Trademark Office.

**Burden Hour Statement:** This form is estimated to take 0.2 hours to complete. Time will vary depending on the needs of the individual case. Any comments on the amount of time required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND FEES AND THIS FORM TO: Box Issue Fee, Assistant Commissioner for Patents, Washington D.C. 20231

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4. Certificates of Mailing for each of the above

In re PATENT application of:

SHUNPEI YAMAZAKI et al

Serial No. 09/118,010

Filed: 07/17/1998

Due Date: 04/26/2002

For: SEMICONDUCTOR DEVICE, METHOD OF FABRICATING SAME, AND ELECTROOPTICAL DEVICE

Docket: 740756-001838

March 5, 2002

EJR/EJR/amd